

## **REMARKS**

Applicants respectfully request reconsideration and allowance of the present application.

### **Claim Status**

This reply cancels claims 1-24, 39-56 and 63 without prejudice or disclaimer. Claims 25, 29, 31-36, 57, 64 and 68 have been amended; and new claims 69-110 have been added.

### **Allowable Subject Matter**

In the paragraph 7 of the Office Action (Paper No. 8), the Examiner indicated that claim 30, 33-35, 61, and 64 would be allowable if rewritten in independent form to include the subject matter of the base claims and any intervening claims. Applicants have added independent claims 69, 80, 92 and 101, which are the rewritten independent forms of claims 30, 33, 61 and 64, respectively. Accordingly, claims 69, 80, 92 and 101, as well as claims 70-79, 81-91, and 102-110 by their respective dependency, are in condition for allowance.

### **Rejection Under 35 U.S.C. 102**

In response to paragraphs 3-4 of the Office Action, Applicants respectfully traverse the rejection of claims 25-29, 31-32, 36-38, 57-60, 62-63 and 65-67 under Section 102(b) as being anticipated by U.S. Patent No. 5,615,214 ("Chandos").

Independent claim 25 has been amended to recite "pause information identifying one or more locations of one or more pauses occurring in audio information included in the digitized audio" and "inserting one or more additional pauses into the reconstructed audio corresponding to the locations identified by the pause information". The above-quoted features are entirely absent from the teachings of Chandos. For at least this

reason, claim 25, as well as claims 26-29, 31-32 and 36-38 by their dependency therefrom, are patentable over Chandos under Section 102(b).

Independent claim 57 recites features similar to those quoted above for claim 25. Thus, claim 57, as well as claims 58-60, 62-63 and 65-67 by their dependency therefrom, are likewise patentable over Chandos under Section 102(b).

### **Rejection Under 35 U.S.C. 103**

In response to paragraphs 5-6 of the Office Action, Applicants respectfully traverse the rejection of claim 68 under Section 103(a) as being obvious in view of the combination of Chandos and U.S. Patent No. 4,630,262 ("Callens").

Claim 68 has been amended to recite:

"a controller, coupled to the receiver, that at least temporarily discontinues provision of the reconstructed audio and instructs the audio reconstructor to additionally pause the reconstructed audio based on the presence of the silence description information."

In no instance do Chandos and Callens, either alone or in combination, teach or suggest the above-quoted feature. In sharp contrast to claim 68, Chandos' system does not add extra pauses into outgoing audio in response to silence description information. Instead, it simply inserts background noise into the outgoing voice that is equivalent in length to incoming silence identifier (SID) packets. This does not teach or suggest the above-quoted feature. Moreover, Callens entirely fails to teach, suggest or even mention the above-quoted feature. Thus, for at least the foregoing reasons, claim 68 is patentable over the combination of Chandos and Callens under Section 103(a).

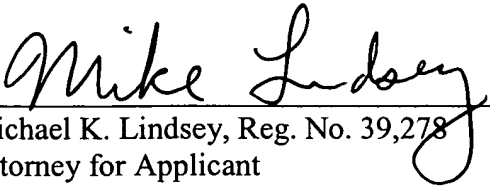
### **Conclusion**

Each of the pending claims in this application is in condition for allowance and early notice to this effect is earnestly solicited. If, for any reason, the Examiner is unable to allow the application and feels that a telephone conference would be helpful to resolve any issues, the Examiner is respectfully requested to contact the undersigned attorney at the 312-595-1169.

No additional fee is believed to be due with this response. However, the Commissioner is authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 08-3038/07942.0011.NPUS00.

Respectfully submitted,

Date: July 30, 2004

  
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